

Bruce D. Ellis
Bureau of Reclamation
Elston Grubaugh
Imperial Irrigation District
April 24, 2002
Page 17

special-status species and also may serve as secondary habitats for these special-status species, and therefore be crucial to their life cycles. However, even more important, these habitats are biological resources and house a significant biological community, albeit one that may not currently contain a special-status species.

G17-43

16. Reliance on future studies to determine mitigation measures is generally prohibited under CEQA. Authorizing a project to move forward without knowing the extent or reliability of mitigation measures for significant impacts violates one of the primary tenets of CEQA, i.e., that decision makers be fully informed regarding potentially significant impacts prior to approval of a project. As noted in the IID EIR/EIS, implementation of biological conservation measures will result in impacts to vegetation, fish, and wildlife species through physical activities, such as dredging, removing salt cedar by mechanical or other means, and converting agricultural lands to habitat. The IID EIR/EIS then indicates that site specific studies will be conducted as needed and mitigation measures identified prior to actual implementation of the conservation measures. Such studies and the identification of feasible mitigation measures need to be completed prior to project approval.

G17-44

17. The IID EIR/EIS acknowledges that changes in water quality could affect wildlife but concludes that despite high concentrations of TDS, selenium, and TSS, the potential for reduced reproductive success of birds is less than significant because of the HCP. As noted before, an EIR must set forth the basis for conclusions and there must be an analytical connection demonstrating that the facts contained in the document support the conclusions. None of that is present here. The IID EIR/EIS contains a lot of discussion on why impacts could be significant but then provides one sentence conclusions at the end of each section indicating that the potential impact is less than significant, with no analysis of how this conclusion was reached. Please provide the analysis and facts supporting the conclusions.

G17-45

18. The IID EIR/EIS indicates that water quality changes in the drains and rivers could affect fish and aquatic habitat and notes that there will be increased selenium concentrations which could reduce reproductive success of fish. However, the IID EIR/EIS concludes that this is a less than significant impact because the fish resources impacted are introduced species. Again, by narrowly defining the significance criteria, the IID EIR/EIS misses obvious significant impacts that must be mitigated. The fact that the fish are introduced species does not lessen the fact that they are biological resources which could be significantly impacted by the proposed project.

G17-46

Response to Comment G17-44

Please refer to the Master Response on *Biology—Timing of Implementation of Biological Mitigation Measures* in Section 3 of this Final EIR/EIS.

Response to Comment G17-45

The HCP included in this Final EIR/EIS (see Attachment A of this Final EIR/EIS) contains the justification for the HCP measures, how the measures address the potential impacts of the water conservation and transfer project and other covered activities, and the resultant effects of implementation of the Proposed Project, inclusive of the HCP, on habitats and the associated covered species. Furthermore, the effects of the implementing the HCP are described in the EIR/EIS.

Response to Comment G17-46

Impacts on non-native fish species in the drains and the Salton Sea were evaluated using significance criteria that focus on native species. Within this context, potential impacts to tilapia were considered less than significant because tilapia is a non-native fish. Nevertheless, the value and function that tilapia provide (e.g., forage base for piscivorous birds and recreational fishery) were considered and evaluated in the EIR/EIS. Also, please refer to the Master Response on *Biology—Impact Determination for Fish in the Salton Sea* in Section 3 of this Final EIR/EIS.

Bruce D. Ellis
Bureau of Reclamation
Elston Grubaugh
Imperial Irrigation District
April 24, 2002
Page 18

G17-47 19. The same conclusion is reached regarding the impacts of reduced flows in rivers. The IID EIR/EIS concludes that although these impacts are real, they would not be significant because they affect only aquatic invertebrates and non-native fish. First of all, these impacts are still real and significant. In addition, the impacts on fish and aquatic invertebrates will also impact other biological resources including birds.

G17-48 20. The survey of drain habitat in Section 3.2.3.2 is inadequate and non-representative. The Hurlbert survey was conducted in the late Winter and Spring (May). However, Winter is the period when the least amount of water flows through the drain, and May is likely to follow the period of intense drain maintenance in anticipation of the growing season. Surveys of the drains in the project area should be at several times throughout the year and during a time when maintenance activities are at their lowest. Moreover, Hurlbert only evaluated 9 or 10 drains. (Pages 3.2-27 and 3.2-30 are inconsistent). Although you assumed that the drains surveyed represent the entire drainage system, you have admitted that the assumption may not be accurate. The completion of updated and more accurate surveys is important to evaluating the Project's impacts and is not unreasonable to expect.

G17-49 21. Thresholds of significance for impacts to biological resources include a substantial adverse effect on native riparian habitat. The impacts of the proposed project to Tamarisk Scrub are justified because the plant is non-native, highly invasive, and provides poor quality habitat to wildlife. However, in attempting to quantify the amount of Tamarisk Scrub, you have merely assumed on Page 3.2-44 that vegetation along the rivers consists of Tamarisk Scrub. Please explain the basis for such assumption. To the extent that more native habitat exists along the rivers, impacts will be more significant.

G17-50 22. Please compare wildlife associated with Tamarisk Scrub to those using native riparian plants.

G17-51 23. In Section 3.2.4.1, you indicate that the CRA will continue to transport the same amount of Colorado River water each year with a greater proportion of that water coming from conservation. Please explain how the addition of 300 KAFY diverted at Lake Havasu would not result in additional waters transported by the CRA.

G17-52 24. On Page 3.2-91, you indicate that Reclamation assumes that the amount of backwater habitat affected is linearly related to the amount of water transferred. The assumption seems inappropriate considering that the amount of shoreline is exponentially exposed resulting from a drop in water level. In other words, a one-inch drop in water level can result in several

Response to Comment G17-47

As described under Impact BR-23, aquatic habitat quality in the New and Alamo Rivers is poor because of poor water quality, high turbidity, and unstable substrates that inhibit production of benthic invertebrates and rooted vegetation. The flow reductions anticipated under the Proposed Project would have little effect on the quality of aquatic habitat in these river systems. Fish populations in the New and Alamo Rivers are probably limited by food availability and water quality rather than by physical habitat availability (i.e., flow). The anticipated reductions in flows at the upper level of conservation would not significantly reduce the amount of fish habitat or limit fish productivity in the rivers. Because no substantial change in fish abundance in the rivers is anticipated, no impact to fish-eating birds is anticipated.

Response to Comment G17-48

The data provided by Hurlbert (1997) were the best available quantitative information regarding the vegetation in the drains. As explained in the Draft EIR/EIS, the estimate of the amount of vegetation in the drains based on Hurlbert (1997) is believed to be an overestimate, and therefore the impact analysis encompasses a worst-case scenario.

Response to Comment G17-49

Vegetation along the New and Alamo rivers was characterized as tamarisk scrub habitat based on USFWS (1999b), Guers and Flannery (2000), University of Redlands (1999), and personal observation.

Response to Comment G17-50

A discussion of the use of tamarisk scrub habitat and native tree habitat by wildlife is provided in Section 3.4.5 of the HCP (Attachment A of this Final EIR/EIS).

Response to Comment G17-51

SDCWA has entered into a separate agreement with MWD, the SDCWA/MWD Water Exchange Agreement, to accommodate the physical conveyance of transferred water via the CRA and a water exchange. Pursuant to this agreement, an amount of water equal to the conserved water to be transferred from IID to SDCWA will be diverted into the CRA operated by MWD and, in exchange, MWD will deliver water in like amount and quality to SDCWA via MWD's conveyance facilities. The water conserved by IID and diverted by MWD into the CRA will replace water otherwise provided to SDCWA by MWD.

Response to Comment G17-52

Reclamation completed two analyses to determine the biological impacts of the water transfers. The first analysis was used to determine the impacts to groundwater and to the southwestern willow flycatcher habitat. This analysis assumed the average daily flow releases from Parker Dam (with and without the proposed transfer amounts) were routed downstream to various points along the Colorado River. The downstream water surface elevations were determined from the attenuated average daily flow. The change in water surface elevation at a particular site downstream of Parker Dam was determined from the difference of the water surface elevations with and without the water transfers. Using the amount of reduced water surface elevation, groundwater changes were predicted adjacent to the river. Using the changed groundwater maps, potential acreage of impacted southwestern willow flycatchers was determined.

The second analysis was used to determine the impacts to the open water in the main channel and open water in backwaters that are connected to the main channel. In this analysis, the daily minimum flows from Parker Dam were routed downstream to various points along the Colorado River. The downstream water surface elevations were determined from the attenuated minimum daily flow. The change in water surface elevation at a particular site downstream of Parker Dam was determined from the difference of the water surface elevations with and without the water transfers. Using the amount of reduced water surface elevations, groundwater changes were predicted adjacent to the river. Using the changed groundwater maps, potential acreage of impacted open water and emergent vegetation was determined.

The analysis of biological impacts in this EIS was primarily based on the previously published Biological Assessment (Appendix D of the Draft EIR/EIS). The Biological Assessment included an analysis of daily flows and water surface elevations for the reach between Parker Dam and Imperial Dam. A further explanation of that methodology has been added as Appendix J of the IA EIS, which is incorporated by reference.

Bruce D. Ellis
Bureau of Reclamation
Elston Grubaugh
Imperial Irrigation District
April 24, 2002
Page 19

Letter - G17
Page 19

Response to Comment G17-53

Mitigation measures for LCR impacts have been defined as required. Thus, mitigation has not been deferred. The only issue that has not been resolved is whether DFG will require additional measures.

Response to Comment G17-54

The vegetation supported by seepage occurs on the slope of the bank and intercepts water moving out of the canal and down the bank's slope. The seepage would be collected at the toe of the bank on flat ground. Thus, water seeping from the canal would continue to travel down the bank's slope where it would continue to be available to vegetation. Water not consumed by the vegetation on the bank would move downslope and it is this water that would be collected in the seepage recovery systems.

Response to Comment G17-55

The primary crops used by birds in the Imperial Valley are alfalfa, sudan grass, Bermuda grass, wheat. Drip irrigation is not an effective or efficient method for irrigating these crops. Therefore, drip irrigation would not be expected to be used to irrigate these crops and no change in foraging habitat availability or quality from operation of on-farm irrigation system improvements would be expected.

Response to Comment G17-56

A reduction in the amount of tamarisk scrub habitat would only be expected to impact species that use it if it is a limited resource for the species. Tamarisk scrub is an invasive, non-native plant that provides poor habitat quality for wildlife. Given its abundance in the Project Area (more than 7,000 acres quantified) and poor quality, it is not likely to be a limiting factor for any wildlife species in the Project Area. As such, the small potential reduction in tamarisk scrub habitat that could occur under the Proposed Project would not be expected to cause changes in the population of species that might use it.

G17-52

inches of newly-exposed sediment and vegetation in backwater and marsh areas. Additionally, the magnitude of the response of wildlife populations was assumed to be directly proportional to the changes in vegetation communities. Please explain the basis for this assumption.

G17-53

25. On Page 3-2-104, you conclude that the transfer could have potentially significant adverse impacts to habitat in riparian and backwater marsh areas along the LCR. However, you indicate on the next page that consultation has not been completed with the California Department of Fish and Game as to the appropriate habitat improvement and species actions to suitably mitigate these impacts. We reiterate our concerns about deferring mitigation.

G17-54

26. Under Impact BR-14, you conclude that because the recovery system would be at the base of the embankment, vegetation would not be lost as a consequence of removing seepage water. In the previous sentence, you acknowledge that vegetation on the embankment is supported by seepage. Please explain how removing seepage water would not reduce vegetation.

G17-55

27. Under Impact BR-17, you conclude that farmers' water conservation practices would not change irrigation practices in a manner that would reduce habitat suitability for wildlife. However, a drip irrigation system would clearly reduce the amount of standing water, thereby impacting the amount of birds that are attracted to the fields during flood irrigations. Conversely, the conservation measures which require additional reservoirs would likely attract wildlife differently. We reiterate the importance of evaluating the impacts caused by each conservation measure independently.

G17-56

28. Under Impact BR-28, you acknowledge that some special status species used Tamarisk Scrub habitat when discussing construction disturbance. However, a reduction in the amount of Tamarisk Scrub resulting from the proposed project is justified partly because "none of the special-status species depend on this habitat." Please explain how the reduction in Tamarisk Scrub "used" by special-status species would not adversely affect the special-status species.

G17-57

29. Under Impact BR-47, you indicate that the "Proposed Project would decrease the amount of selenium entering the Salton Sea relative to the Baseline and in that way reduce the annual accumulation of selenium in sediments," justifying a finding of No Impact. Under Impact BR-12, you conclude that concentrations of dissolved constituents would increase under the proposed project and there would be an overall increase in average concentrations of selenium in the drains. Although sedimentation and uptake might help reduce selenium from the

Response to Comment G17-57

Under both the Baseline and the Proposed Project condition, selenium is introduced to farm fields through irrigation water and is discharged through tailwater and tilewater into IID drains. In addition, system spillage and seepage provides avenues by which selenium contained in imported Colorado River water is discharged into IID drains. Because the Proposed Project reduces the volume of Colorado water entering IID drains, primarily through reductions in spillage and tailwater, the mass loading of selenium to IID drains is also reduced.

IIDSS modeling output shows that the Proposed Project reduces IID diversions by about 11 percent, which results in a similar percentage reduction in selenium imported into the District. However, because water consumption within IID is approximately the same under both the Baseline and the Proposed Project conditions, the proportion of diverted water not consumed and discharged to drains declines by about 28 percent. The 28 percent reduction in the volume of water available to convey selenium through the IID drainage system, when coupled with an 11 percent reduction in selenium mass discharged to the drains, leads to the increased selenium concentrations that are modeled under the Proposed Project even through selenium mass loadings to the Salton Sea are reduced.

Bruce D. Ellis
Bureau of Reclamation
Elston Grubaugh
Imperial Irrigation District
April 24, 2002
Page 20

Letter - G17
Page 20

Response to Comment G17-58

Since the development of the approach described in the HCP and Draft EIR/EIS, additional discussions with USFWS and CDFG have led to modifications of the approach, including the triggers for initiating hatchery augmentation of fish in the Sea and pond construction and operation. See the Master Response for *Biology—Approach to Salton Sea Habitat Conservation Strategy* in Section 3 of this Final EIR/EIS.

Response to Comment G17-59

With implementation of HCP Approach 2 (now referred to as Salton Sea Habitat Conservation Strategy), only 16,000 acres could potentially be exposed at the Salton Sea. See the Master Response on *Biology—Approach to Salton Sea Habitat Conservation Strategy* in Section 3. Also see the Master Response on *Air Quality—Salton Sea Air Quality Monitoring and Mitigation Plan* in this Final EIR/EIS.

Response to Comment G17-60

Please refer to the Master Response on *Air Quality—Salton Sea Air Quality Monitoring and Mitigation Plan* in Section 3 of this Final EIR/EIS.

G17-57

water column, the drains entering the Salton Sea, New River, and Alamo River will have much higher concentrations of selenium as a result of the proposed project. Please explain how higher concentrations of selenium entering the Salton Sea through the drains would result in the decrease of selenium stated in Impact BR-47.

G17-58

30. Under Impact HCPI-BR-52 and elsewhere throughout the document, you indicate that restocking of fish would not begin until reproduction by Tilapia has ceased. However, you acknowledged that reproduction of Tilapia would only begin to decline at salinity levels above 60 ppt. Thus, the abundance of Tilapia will begin declining long before the restocking begins. Similarly, the HCP indicates that fish ponds will not be constructed until it is determined that the fish could no longer survive in the Sea. Please evaluate the impact to piscivorous birds as a result of declining Tilapia before stocking occurs and ultimate extinction in the sea.

G. Geology and Soils.

G17-59

1. The IID EIR/EIS indicates that if the proposed project resulted in substantial soil erosion or loss of top soil, changes in topography or unstable soil conditions, this would constitute a significant impact on geology and soils that needed to be mitigated. However, despite acknowledging that the proposed project would expose at least 50,000 acres (compared to the future baseline condition) of previously inundated area and that such would be exposed to wind and water erosion, the IID EIR/EIS concludes that the high salt content of the soil will cause a crust to form on the soils as they dry, and thereby minimize both wind and soil erosion. Based on this conclusion, the determination is that there will be no significant impact on soils. Again, the IID EIR/EIS fails to set forth the basis for its conclusions. In addition, there is significant information available which contradicts this conclusion. See discussion regarding air quality below.

G17-60

2. Much of what has happened at Owens Lake could happen at the Salton Sea if the sea's water supply is simply diverted. Similar conditions exist in similar locations. The information contained in the literature and that has been developed as a result of studies at Owens Lake and Mono Lake contradict the conclusions reached in the IID EIR/EIS. See more detailed discussion in air quality discussion below.

Bruce D. Ellis
Bureau of Reclamation
Elston Grubaugh
Imperial Irrigation District
April 24, 2002
Page 21

H. Land Use.

G17-61

1. The IID EIR/EIS includes a description of a number of local and regional plans which were reviewed to determine consistency of the proposed project. However, the IID EIR/EIS contains no detailed information regarding any of the specific provisions, goals, policies or other information contained in any of these plans and contains no discussion or analysis indicating whether or not the proposed project is or is not consistent with any of these policies/goals, etc. Without this information, the conclusions contained in the IID EIR/EIS regarding consistency have no basis. This is a failure that is found throughout the entire document. Again, as stated above, CEQA requires that an EIR set forth the basis for its conclusions regarding whether or not impacts of a proposed project are significant.

G17-62

2. Probably the most significant plan to be reviewed for consistency is not even included in the discussion within the IID EIR/EIS. A consistency analysis of the proposed project with the Salton Sea Restoration Program is crucial for purposes of this section of the IID EIR/EIS. Failure to include such analysis is a fatal flaw in the conclusions reached regarding consistency.

I. Agricultural Resources.

G17-63

1. The IID EIR/EIS acknowledges that the conversion of prime farmland, unique farmland, or farmland of statewide importance would be a significant impact on agricultural resources. It also indicates that the proposed project has the potential to result in the removal of prime or unique farmland or farmland of statewide importance, but concludes that, since these impacts are addressed at a general level and because specific areas where these impacts would occur have not been identified, site-specific studies and subsequent environmental documentation would need to be conducted and mitigation measures identified prior to actual implementation. This conclusion is clearly inadequate and in violation of CEQA. First, waiting for future studies to develop mitigation measures is a violation of CEQA. Second, the IID EIR/EIS acknowledges that there will be loss of farmlands and thus there will clearly be a significant impact. However, this is not acknowledged and no mitigation measures are proposed.

G17-64

2. The loss of agricultural lands is being felt statewide, and the proposed project's impacts contribute to that cumulative statewide loss. (See *California Department of Conservation, California Farmland Conversion Report 1996-1998*). The project proponent could be required to fund agricultural conservation easements over existing prime farmlands or farmlands of statewide importance elsewhere in the region or California, to prevent such similar

Response to Comment G17-61

The Lead Agencies acknowledge that elements of the County's General Plan include policies, goals, and objectives relating to, among other things, use of agricultural lands, water use and conservation, conservation of biological resources, and open space objectives. The comments from the County indicate that its primary concerns are the impact of the Proposed Project on agricultural production and retention of agricultural lands and its objection to the following of agricultural lands.

The Draft EIR/EIS explains that, as originally envisioned, the Water Conservation and Transfer Project did not anticipate the use of fallowing as a conservation measure. Section 2.2.3.4 of the Draft EIR/EIS describes certain restrictions on fallowing contained in the IID/SDCWA Transfer Agreement and IID Board policies stating that the Board is not in favor of the use of fallowing in connection with the Proposed Project. However, as a result of the environmental review process and consultation with federal and state regulatory and resource agencies, fallowing has been suggested as a means of reducing the impacts of the water conservation program on certain resources, including the Salton Sea and air quality. In order to comply with the requirements of CEQA, the EIR/EIS must evaluate conservation methods which have the potential to reduce the significant effects of the Proposed Project, whether these are considered mitigation measures, project alternatives, or changes in the Project. The EIR/EIS recognizes that if long-term or permanent fallowing results in the conversion of agricultural lands to non-agricultural use, the impact to agricultural resources is significant.

As suggested by the County, this response to its request for an analysis of consistency with the General Plan focuses on the following elements of the General Plan: Land Use, Agricultural, Water, and Conservation/Open Space. The General Plan states that the purpose of these elements is to identify general goals, policies, and standards, which serve as primary policy statements for implementing development policies and land uses; they do not typically force specific actions. For example, the Land Use Element [page 35] states that the goals and objectives are "policy statements representing ideals which have been determined by the citizens as being desirable and deserving of community time and resources to achieve," which should be used as guidelines but not doctrines [page 35].

Response to Comment G17-61 (continued)

The Water Element [page 25] states:

"The goals and objectives are not to be inclusive and are general in nature. They are not to be considered as a means to regulate a specific area. The main intent is for them to be implemented only to the extent that such implementation is achieved by reasonable regulations or rights therein. The goals and objectives may change at any time to accommodate appropriate growth within the county."

The General Plan states numerous goals and policies which, when applied to the features of the Project, are mutually inconsistent. For example, the General Plan includes policies:

- To preserve commercial agriculture as a prime economic force.
- To encourage the continuation of irrigation agriculture on Important Farmland.
- To allow conversion of agricultural land to non-agricultural uses only where a clear and immediate need can be demonstrated.

The Agricultural Element [pages 5-7] recognizes the extensive acreage within Imperial County that is suitable for agricultural production, describes "the long-term commitment by the County to the full promotion, management, use, and development and protection of agricultural production," and recognizes agriculture as the "single most important economic activity of Imperial County."

Long-term or permanent following by itself would not advance the objectives described above. As discussed above, however, the impetus for considering following as a conservation measure is to reduce the environmental impacts of other conservation measures. This purpose is consistent with other policies and objectives set forth in the General Plan which encourage conservation and protection of environmental resources, such as:

- To identify and preserve the County's air and water quality.
- To preserve as open space those lands containing important natural resources, sensitive vegetation, and wildlife habitats.
- To establish policies and programs for maintaining salinity levels in the Salton Sea which enable it to remain a viable fish and wildlife habitat.
- To encourage farmers to use irrigation methods that conserve water.
- To improve the quality of irrigation water runoff to minimize impacts to downstream water bodies, wetland habitats, and the overall environment.
- To encourage water conservation by promoting the development of structural and non-structural measures, including improved on-farm irrigation water management systems.
- To use open space easements to protect natural resources and the public health and safety, including areas required for the preservation of a habitat for fish and wildlife species, areas required for the protection of water quality, and areas required for the protection and enhancement of air quality.
- To cooperate and coordinate the use of water resources to protect and enhance valuable wildlife communities and habitats of the region.

The Water Element recognizes the difficulties involved in balancing agricultural production and environmental protection. This element [pages 27-28] acknowledges:

- Environmental concerns regarding the Salton Sea, particularly increased salinity and selenium levels, stating: "The solution to increased salinity and selenium levels is not simply to reduce irrigation water, since this would actually be accompanied by a rise in salinity and selenium concentrations. Nevertheless, it behooves the agricultural community to remain sensitive to and cooperate with environmental efforts to stabilize salinity and selenium of the Salton Sea."
- That more federal and state regulation of agriculture is likely in the future and that the agricultural community needs to be concerned with environmental issues, concluding: "The agricultural community needs to anticipate and take the lead on environmental protections before governments do it for them."

The Water Element recognizes that water is a key resource critical to the preservation of agricultural production, but it also specifically acknowledges growing concerns about water resources and environmental problems and that water in California is becoming a scarce resource. It describes the extensive water conservation efforts initiated by IID, including the 1988 IID/MWD Agreement, which funded specific conservation facilities. It recognizes "the possible reduction of available Colorado River water caused by increased demand and adverse climactic conditions, as well as the balancing of urban and agricultural needs with those of plants and wildlife." Thus, the Project advances certain General Plan goals and objectives and does not advance others. The consistency or inconsistency of the Project with the General Plan is not clear without some guidance on the relative importance of various goals and objectives, which the General Plan does not provide. The Project raises difficult issues regarding how a limited supply of Colorado River water should be applied among

Response to Comment G17-61(continued)

competing beneficial uses. The IID Board must consider the assessment contained in the Final EIR/EIS and determine, in compliance with CEQA, whether the Project should proceed and how the Project objectives and environmental impacts should be appropriately balanced. Through the County's comment letter and this response, the Final EIR/EIS will identify the County's issues and concerns, and the IID Board must consider this information in deciding what action to take on the Project.

Response to Comment G17-62

Refer to the Master Response on *Other—Relationship Between the Proposed Project and the Salton Sea Restoration Project* in Section 3 of this Final EIR/EIS.

Response to Comment G17-63

The Draft EIR/EIS explains that the conservation program anticipated by the Proposed Project will involve various conservation methods, including fallowing, which will vary from year to year over the Project term. The participants in the on-farm portion of the program are also expected to vary from year to year, and perhaps from season to season. For these reasons, the specific lands where conservation methods will be applied at any given time cannot be identified and would, in any event, be subject to change. IID utilized the IIDSS, a predictive model which simulates the hydrological features of the IID water service area, to construct multiple random combinations of land order to identify the reasonable range of potential impacts, assuming the variability of conservation methods and locations described above. We believe that this approach provides a reasonable basis for assessing the environmental impacts of the Project and that CEQA does not require a specific field-by-field analysis.

Alternative 4, on the other hand, involves the use of fallowing as the exclusive conservation method. For purposes of the impact analysis for this Alternative, the maximum amount of conservation was assumed to reflect a worst-case analysis.

We were unable to identify in the Draft EIR/EIS any mitigation measure for the significant impacts to agriculture that are associated with long-term or permanent fallowing, other than to use short-term or rotational fallowing (or other conservation measures).

Response to Comment G17-64

The Draft EIR/EIS determined that if fallowing is used as a conservation measure and if it results in the reclassification of prime farmland or converts agricultural land to a non-agricultural use, it would be a significant impact. The only identified mitigation measure is the use of rotational fallowing, rather than long-term or permanent fallowing. We acknowledge the Agricultural Land Stewardship Program established by Public Resources Code Section 10239 et seq. However, the contribution of funds to that program is voluntary, and the establishment of an agricultural conservation easement requires the voluntary participation of the underlying landowner. Further, the program does not require continuous agricultural activity on lands subject to an agricultural conservation easement. Thus, although the program provides one method of preserving agricultural land, it does not ensure mitigation of the significant impact described in the Draft EIR/EIS.

Bruce D. Ellis
Bureau of Reclamation
Elston Grubaugh
Imperial Irrigation District
April 24, 2002
Page 22

lands from being converted to non-agricultural uses in the future. Indeed, the legislature has established a program, partially funded by donations to which the project proponent could be required to contribute, to acquire agricultural conservation easements for this purpose. (*Public Resources Code § 10230 et. seq.*).

3. Under Table 3.5-1 and Table 4-3, Section 3.5 in the Significant Unavoidable Impact Chapter, you failed to indicate that HCP Approach 1 may result in the an additional 1% reduction of lands available for agricultural production and potentially additional fallowing to operate and maintain ponds. This approach would exacerbate the significant unavoidable impact.

4. You failed to address the prohibition of *permanent* fallowing as a feasible mitigation measure to reduce the impacts of fallowing as a conservation measure. Please evaluate the feasibility of rotating fallowed lands and applying this as mitigation.

J. Recreation.

1. The Salton Sea State Park, later to become the Salton Sea State Recreation Area, was formed at the request of the Riverside County Board of Supervisors in an attempt to address the increasing recreation trends at the Salton Sea. Riverside County saw the need to provide a controlled recreational experience, and rightly so. After many years of trying, the Board of Supervisors was finally able to convince the Department of Beaches and Parks, later to become the Department of Parks and Recreation, to purchase and operate a state park upon the north shore of the Salton Sea. The Department quickly constructed facilities that included campgrounds, fishing areas, boat ramps, marinas, day use areas and trails. Shortly thereafter, the Department of Parks and Recreation acquired additional properties by direct purchase or lease and increased the size of the park significantly. Currently, the Salton Sea State Recreation Area reaches from North Shore to Bombay Beach. It has 1,500 campsites in five campgrounds (almost ten percent of the total sites within the Department), hundreds of day use sites, a boat ramp and marina, parking areas, fishing jetty, visitor center and all associated infrastructure to support an active operation. Visitation trends suggest that the number one reason that people come to the Sea is for the fish. When fishing is good, fishers will line the shore, shoulder to shoulder catching hundreds of tilapia, or large corvina. After fishing, the second greatest draw is the birds. The Sea's huge bird population brings thousands of visitors to the lake. After birding, general recreation, such as camping, hiking, and simply enjoying sunsets bring people to the lake. A simple evaluation of the location from where people come from to visit the Sea demonstrates that most come from outside of Imperial and Coachella Valley, and the greatest percent of visitors for

Letter - G17
Page 22

Response to Comment G17-65

HCP Approach 1 is no longer included as a conservation approach for the Salton Sea. Refer to the Master Response on *Biology—Approach to Salton Sea Habitat Conservation Strategy* in Section 3 of this Final EIR/EIS.

Response to Comment G17-66

Mitigation Measure AR-1 indicates that the prohibition of permanent fallowing is the only mitigation measure available for the impacts to agricultural resources of permanent fallowing.

Response to Comment G17-67

The implementation of HCP Approach 2 (now referred to as Salton Sea Habitat Conservation Strategy) will avoid impacts from the Project to fish and to fish-eating birds. For additional information see the Master Response on *Biology-Approach to Salton Sea Habitat Conservation Strategy* in Section 3 of this Final EIR/EIS.